



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- ☐ Preproposal Statement of Inquiry was filed as WSR ; or
☐ Expedited Rule Making--Proposed notice was filed as WSR ; or
☒ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR
☐ Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-851-990 Optometry fees and renewal cycle. This proposal adds a fee for an inactive status for licensed optometrists. SSB 5535 enacted by the 2006 legislature authorized the Board of Optometry to adopt rules authorizing an inactive license status. This proposal establishes the inactive renewal fee.

Hearing location(s): Washington State Department of Health
Point Plaza East
310 Israel Road SE
Room 153
Tumwater WA 98501

Submit written comments to:

Name: Judy Haenke, Program Manager
Address: P O Box 47870
Olympia WA 98504-7870
(360) 236-4947

Website: <http://www3.doh.wa.gov/policyreview/>
fax (360) 586-4359 by (date) 10/20/2006

Date: October 25, 2006Time: 10:00 a.m.**Assistance for persons with disabilities:** ContactJudy Haenke, Program Manager by 10/17/2006

TTY (800) 833-6388 or () 711

Date of intended adoption: 10/31/2006

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of the rule is to establish a renewal fee for an inactive optometry license. SSB 5535 enacted by the 2006 legislature authorized the Board of Optometry to adopt rules to implement an inactive license status. Optometrists who do not wish to place their license on a delinquent or expired status, will have the option for an inactive license.

Reasons supporting proposal:

This proposal adds a fee for an inactive status for licensed optometrists. SSB 5535 enacted by the 2006 legislature authorized the Board of Optometry to adopt rules authorizing an inactive license status.

Statutory authority for adoption:

RCW 43.70.250

Statute being implemented:

RCW 18.53.010

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE

9/19/06

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLYCODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

SEP 20 2006

951

TIME

WSR

06-19-106AM
PM

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Department of Health.

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Judy Haenke	P O BOX 47870, Olympia WA 98504-7870	(360) 236-4947.
Implementation..... Judy Haenke	P O Box 47870, Olympia WA 98504-7870	(360) 236-4947
Enforcement..... Judy Haenke	P O Box 47870, Olympia WA 98504-7870	(360) 236-4947

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

☒ No. Explain why no statement was prepared.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under RCW 19.85.025(3) agencies are not required to prepare a small business economic impact statement if the rule change adjusts fees according to legislative standards per RCW 34.05.310 (4)(f).

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

☒ No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328. A preliminary cost-benefit analysis is not required for rules that adjust fees pursuant to legislative standards according to RCW 34.05.328 (5)(b)(vi).

AMENDATORY SECTION (Amending WSR 05-12-012, filed 5/20/05, effective 7/1/05)

WAC 246-851-990 Optometry fees and renewal cycle. (1)
Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$125.00
Out-of-state seminar	100.00
License renewal	100.00
Late renewal penalty	50.00
Expired license reissuance	50.00
<u>Inactive license renewal</u>	<u>40.00</u>
Duplicate license	15.00
Certification of license	25.00